IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.908 of 2005

In

First Appeal No.1101 of 1999

Yeshwant Chhaganlal Shah and Ors..Applicants

V/s

1. Thakorlal Maganlal Rana and Ors..Respondents

Ms Bhadra N. Dalal for Applicants

Harshad V. Palve for Respondent no.3

CORAM:S.R.SATHE,J.

DATED:24th Jan. 2005

P.C.:-

. Heard both the learned Advocates.

. The Applicants has submitted that he be permitted to carry out upgradation, renovation, restructuring of the Petrol pump in question as the same has to be done to maintain the norms laid down by Bharat Petroleum Ltd and to match the current market trend. He also submits that the said upgradation would be subject to the decision of the appeal.

. If the relief as claimed is granted on certain conditions, the same is not likely to cause any loss to the Respondents. Hence the applicants are permitted to carry on upgradation, restructuring and renovation of Petrol pump in question subject to final decision of the appeal.

. It is made clear that the applicant shall not claim any equity about the work that would be carried out by him and he should not enter int any fresh agreement or construction or create any third party interest in respect of the suit property.

. C.A. disposed of in the above terms.

(S.R.SATHE,J.)